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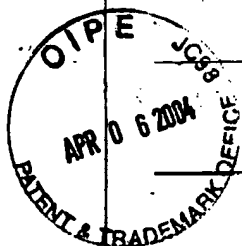
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Attorney Docket: 11641/167

## DECLARATION AND POWER OF ATTORNEY

As the below named joint inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **BIOLOGICAL ASSAYS USING GRADIENTS FORMED IN MICROFLUIDIC SYSTEMS**, the specification of which (check one):

\_\_\_\_\_ is attached hereto  
 or   X   was filed on October 21, 2003  
 as United States Application No. 10/688,905  
 and \_\_\_\_\_ was amended on \_\_\_\_\_

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application, as defined in 37 C.F.R. §1.56.

We hereby claim foreign priority benefits under Title 35 United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below. We have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Appl. Serial No./ Country	Filing Date	Status	Priority Claimed
			Yes: No:
_____ Additional foreign applications are listed on an attached supplemental priority data sheet.			

We hereby claim the benefit under Title 35, United States Code §120, of any United States applications or §365(c) of any PCT international application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior applications in the manner provided by the first paragraph of Title 35, United States Code §112, we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. / PCT Appl., Serial No.	Filing Date	Status/Patent No.	Priority Claimed
			Yes: X No:
<u>09/709,776</u>	<u>November 8, 2000</u>	<u>Pending</u>	<u>Yes: X No:</u>

  X   Additional U.S. / PCT applications are listed on an attached supplemental priority data sheet.

We hereby claim the benefit under Title 35, United States Code §119(e), of any United States provisional applications listed below :

Application Number	Filing Date
<u>60/419,976</u>	<u>October 22, 2002</u>
<u>60/419,980</u>	<u>October 22, 2002</u>

**Supplementary Priority Data Sheet**

<b><u>US Application Serial No.</u></b>	<b><u>Filing Date</u></b>	<b><u>Status/Patent No.</u></b>	<b><u>Priority Claimed</u></b>
10/097,329	03-15-02	Pending	yes
10/097,351	03-15-02	Pending	yes
10/097,308	03-15-02	Pending	yes
10/097,304	03-15-02	Pending	yes
10/097,322	03-15-02	Pending	yes
10/097,302	03-15-02	Pending	yes

And we hereby appoint the registered practitioners of Kenyon & Kenyon included in the Customer

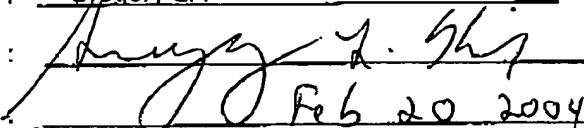
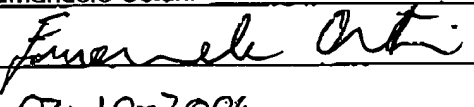
And we hereby appoint the registered practitioners of Kenyon & Kenyon included in the Customer Number provided below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

**23838**

Please address all communications regarding this application to:

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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